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FBI

FBI

Date: 11/20/59

Transmit the following in PLAIN TEXT
(Type in plain text or code)

Via AIRTEL AIRMAIL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, SAN FRANCISCO (64-408)

SUBJECT: CARYL CHESSMAN
PC-FM

Re Bonn Legat letter to Bureau, 11/3/59.

One copy of statement of [redacted] was furnished to CHARLES A. O'BRIEN, Chief Assistant - Criminal Law to the Attorney General of California, State Building, San Francisco, on 11/19/59.

Mr. O'BRIEN, after reviewing the statement, requested he be furnished a copy of the photograph referred to in the statement.

It is suggested that the Bureau obtain and furnish copy of this photograph to the San Francisco Office for transmittal to Mr. O'BRIEN.

An additional copy of this airtel is submitted to be furnished the Legat at Bonn for the information of that office.

4 - Bureau (AM)
1 - San Francisco (64-408)

ED:wap
(5)

AGENCY Bonn-ICC
REQ. RCVD 11/24/59
DATE FORW. 11-25-59
HOW FORW.
BY

44-7176C-20

REC-34
EX-105

20 NOV 23 1959

2 photostats SF
Leg 0-7 11/30/59

Approved: Special Agent in Charge

Sent M Per

DEC 14 1959

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (64-45690) 44-7760

DATE: 12/7/59

FROM : SAC, SAN FRANCISCO (64-408)

CONFIDENTIAL

SUBJECT: CARYL CHESSMAN
PC-FM

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Re Bureau Form 07, dated 11/30/59, with enclosures from the Legat Bonn.

[redacted] (C)

An additional copy of this letter is submitted to be furnished to the Legat at Bonn for the information of that office. (C)

-RUC-

4-Bureau (AM)
1-San Francisco

ED/amr
(5)
#7

CLASS. & EXT. BY [illegible]
REASON-FCIM II, 1-2.4.[illegible]
DATE OF REVIEW 6-5-90

EX-124

REC-79

Bonn-ICC
AGENCY
REQ. REC'D 12/10/59
DATE FORW. 12-15-59
HOW FORW. [illegible]

44-7760-21

16 DEC 1959

CONFIDENTIAL

DEC 2 [illegible]

CONFIDENTIAL

62 DEC 14 1959

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. McGuire

DATE: 2-4-60

FROM : W. G. Eames

SUBJECT:

The attached _____ has been received in the Records Branch, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Branch, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received.

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

Enclosure

REC-

RECORDED

FEB 4 1960

ENCLOSURE

EX-131

EDITORIAL

'116' Years in Death Row Should be Enough for Chessman?

Typographical errors are the bane of every newspaperman's life. They happen in the best of publications, even in good books, but more often in newspapers which must beat deadlines.

Sometimes I wonder if it is always a mistake. When I was a cub reporter, we had a jovial linotyper named Job, and like the Biblical Job, he too, had patience-- with my often dashed off copy, and of course he corrected it.

But I remember once when I caught a slip in print, I asked him how it ever got past his machine. He merely said 'I dunno', with a twinkle in his eye. I guess sometimes they let their humor get the best of efficiency-- with a laugh for all.

Recently in the SD Union was one that struck me as being correct although it was an error! The story told of Caryl Chessman's new petition on his stay of execution: 'It was the 13th time the highest court has turned Chessman down during the 116 years he has been in San Quentin Prison's condemned row'.

Factually he has lived 11½ years in death row, been condemned seven times to die a horrible death in civilization's grisly gas chamber for a crime many are not sure he committed, and which he stoutly denies. He has been refused a lie-detector test. California prosecutors are in a dither to get him under ground.

But he has a good point of law-the transcript of his trial is clouded as the court reporter died before he could make a transcription, according to law. An alcoholic nepotist stenographer was paid a high sum to do it, proved to have over 2000 errors. (See story in Union's

MORE ON PAGE 27

EL CAJON THEATRE
Hickory 4-3272
FRIDAY AND SATURDAY
GARY COOPER, T. HUNTER
RITA HAYWORTH
'THEY CAME TO CORDURA'
VINCENT PRICE
THE TINGLER
SUN. MON. TUES.
J. WEBB, D. NELSON
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C. WEBB, JANE WYMAN
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ANN BAXTER, STEVE COCRAN
CARNIVAL STORY, TECH.
RICHARD EGAN, D. McGUIRE
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EDITORIAL FROM PAGE 2

Parade for Dec. 27). Or better, read Chessman's two best sellers, 'Cell 2455, Death Row' and 'Face of Justice', which opened my eyes to this gross miscarriage of justice: due process of law. That is why he has legitimately evaded death these many years.

Perhaps his attorney should contend that, having been in for '116 years', he has served more than a life sentence already. At least we feel that 11½ years under such a penalty, would feel like 116 years.

Many all over the world believe that this man has been punished enough. Anyhow the death penalty for the crime (he killed none), has since been lifted. If there is any shadow of a doubt as to his guilt, his life should be spared, for none can replace that.

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UPI-94

(CHESSMAN)

AN ATTORNEY FOR CARYL CHESSMAN MADE A 15TH APPEAL TO THE SUPREME COURT TODAY IN AN EFFORT TO SAVE THE CONVICT-AUTHOR FROM EXECUTION FRIDAY MORNING IN CALIFORNIA'S GAS CHAMBER.

MISS ROSALIE ASHER OF SACRAMENTO TOLD REPORTERS HER PAPERS HAD BEEN PRESENTED BY THE SUPREME COURT CLERK TO JUSTICE FELIX FRANKFURTER "AS THE SENIOR JUSTICE AVAILABLE."

THE ATTORNEY, WHO SAID SHE MUST RETURN TO THE WEST COAST TOMORROW AFTERNOON, SAID SHE WILL NOT TRY TO CONTACT OTHER JUSTICES IF FRANKFURTER TURNS HER DOWN.

TODAY, MISS ASHER SOUGHT AN ORIGINAL WRIT OF HABEAS CORPUS FROM FRANKFURTER. SHE CONCEDED THAT SUCH ACTION BY A SUPREME COURT JUSTICE IS A "VERY, VERY RARE OCCURENCE."

THE LEGAL POINTS ADVANCED TO FRANKFURTER INCLUDED THE CONSTITUTIONAL ISSUES OF "CRUEL AND UNUSUAL PUNISHMENT," WHICH CHESSMAN HAS BROUGHT UP IN RECENT APPEALS. HE HAS BEEN CONFINED IN DEATH ROW AT SAN QUENTIN FOR 11 AND ONE HALF YEARS.

MISS ASHER TOLD REPORTERS SHE ALSO INCLUDED AN AFFIDAVIT BY AN OAKLAND, CALIF., HANDWRITING EXPERT J. J. STERNITZKY, WHO SAID A SUBSTITUTE SHORTHAND REPORTER WHO TRANSCRIBED THE TRIAL FORGED SOME OF HIS NOTES.

2/16--GE202P

REC- 66 44-7760-24

52 FEB 25 1960

10 FEB 23 1960

WASHINGTON CAPITAL NEWS SERVICE

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UPI-97

ADD 1 CHESSMAN

MISS ASHER SAID AN APPEAL TO GOV. PAT BROWN OF CALIFORNIA FOR CLEMENCY SEEMED LIKELY BEFORE THE EXECUTION DEADLINE.

2/16--GE207P

WASHINGTON CAPITAL NEWS SERVICE

TELETYPE

URGENT 2-17-60 11-18 AM PAL

TO DIRECTOR, FBI

IMMEDIATE ATTENTION W. B. GRIFFITH, FBI LABORATORY

FROM SAC, SAN FRANCISCO 2 PGS

RE CHESSMAN CASE. REUR CALL TODAY CONCERNING IDENTITY OF J. L. STERNITZKY, ALLEGED OAKLAND HANDWRITING EXPERT. STERNITZKY IS EIGHTY YEAR OLD RETIRED HEAD OF CHECK DETAIL, OAKLAND PD. FULL NAME IS JEWEL OR JULES L. STERNITZKY. RETIRED FROM PD ONE NINE FOUR NINE AFTER TWO EIGHT YEARS AS HEAD OF DETAIL. WAS QUALIFIED ON STAND AS EXPERT ON HANDWRITING CONFINED TO CHECKS ONLY IN SUPERIOR COURT, ALAMEDA COUNTY. BOASTS THAT HE HAS ONLY BEEN QUOTE BETEN ONCE UNQUOTE WHEN HE TESTIFIED THAT THE HANDWRITING ON A CHECK WAS THAT OF A DEFENDANT WHOM THE DEFENSE PROVED WAS IN JAIL WHEN IT WAS MADE OUT. HE IS CONSIDERED AS HONEST BUT NOW HAS A QUOTE FADING MIND UNQUOTE DUE TO AGE. LIVES QUIETLY IN OAKLAND AND DOES A LITTLE GENERAL INVESTIGATIVE WORK ON THE SIDE WHEN ANY INDIVIDUAL COMES TO HIM CONCERNING IT. SAN FRANCISCO DIVISION FILES REFLECT HE IS AUTHOR OF BOOK QUOTE FORGERY AND FICTITIOUS CHECKS UNQUOTE PUBLISHED BY THOMAS, ONE NAUGHT ONE PAGES, FOUR DOLLARS SEVEN FIVE CENTS, NOVEMBER ONE NINE FIVE FIVE. THE SUBJECT OF THE BOOK IS A GENERAL STORY

END PAGE ONE

REC- 66 44 - 7760 - 25

DEFINING METHODS USED BY SOME OF COUNTRY-S TOP FORGERS POINTING OUT RUSES STILL IN VOGUE WITH SUCCESSFUL CHECK KITERS AND IS CONSIDERED LIGHT BOOK MORE THAN DEEP SERIOUS WORK. BOOK ALONE HAS SOME FIVE NAUGHT ILLUSTRATIONS OF SPURIOUS CHECKS WITH DETAILED ACCOUNTS OF CASES AND FLAWS ENABLING PD TO APPREHEND ISSUER. SAN FRANCISCO EXAMINER TODAY STATES QUOTE"MOST OF THE DOCUMENTARY EVIDENCE HAS BEEN CONSIDERED AND REJECTED BY STATE OR FEDERAL COURTS.. AN EXAMPLE IS AN AFFIDAVIT FROM A FORMER OAKLAND POLICEMAN, J. L. STERNITZKY, WHO SAYS HE IS A HANDWRITING EXPERT AND THAT SOME OF THE SHORTHAND NOTES OF CHESSMAN-S ORIGINAL LOS ANGELES TRIAL ARE FORGED."UNQUOTE.

END AND ACK PLS

223PM OK FBI WA CRA

TU DIS

cc: Mr. Tamm and
Mr. Griffith

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Tamm

DATE: 2/17/60

FROM : W. D. Griffith

Parsons
Belmont
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SUBJECT: APPEAL OF CARYL CHESSMAN
REFERENCE TO OAKLAND, CALIFORNIA
HANDWRITING EXPERT J. L. STERNITZKY

On February 16, 1960, the Washington Capital News Service carries an item concerning a final appeal in behalf of Chessman to Justice Felix Frankfurter (Chessman is to be executed Friday morning in California's gas chamber.) The news item states Chessman's appeal "included an affidavit by an Oakland, Calif., handwriting expert J. L. Sternitzky, who said a substitute shorthand reporter who transcribed the trial forged some of his notes." The Director has asked "What do we know of him?"

There is no record in Bureau files definitely identifiable with this individual.

San Francisco advised by teletype today that Sternitzky is eighty years old and retired head of Oakland Police Department Check Detail. Sternitzky retired from Police Department in 1949, after twenty-eight years service. During his service with the Police Department Sternitzky qualified in court as an expert on handwriting with respect to fraudulent checks only. Sternitzky now does a little general investigative work, is considered honest although due to his age it is considered he has a "fading mind."

San Francisco teletype quotes an item appearing this morning in the San Francisco papers concerning this matter which is pertinent to Sternitzky's affidavit

"Most of the documentary evidence has been considered and rejected by state or Federal courts. An example is an affidavit from a former Oakland Policeman, J. L. Sternitzky, who says he is a handwriting expert and that some of the shorthand notes of Chessman's original Los Angeles trial are forged."

REC- 66 44 - 7760 - 26

RECOMMENDATION: None. For your information.

1 - Mr. DeLoach, Room 5640

131

FEB 23 1960

WDG:mb

52 FEB 25 1960

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